



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 23 2007

In re Application of: Shimek et al.

) Group Art Unit: 1761

Serial Number: 10/620,038

) Examiner Name: K. Mahafkey

Filing Date: July 15, 2003

) Atty Docket: 6126US

For: Soft Dried Marshmallow and Method of Preparation

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (any unentered amendment(s) referred to above will be entered).

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on

iii. Other

b. Enclosed

i. Preliminary Amendment

ii. Petition For Extension of Time

iii. Information Disclosure Statement (IDS)

iv. Other

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 C.F.R.

§ 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months: Fee under 37 C.F.R. § 1.17(i) required)

b. Other

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge any additionally required fees, or credit any overpayments, to Deposit Account No. 07-0900.

b. Check in the amount of \$ _____ enclosed

i. RCE fee required under 37 C.F.R. § 1.17(e)

ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. Other

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

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01 FC:1801 798.00 DA

Name (Print/Type): Everett G. Diederiks, Jr.

Registration No. (Attorney/Agent) 33,323

Signature:

Date: January 23, 2007